

E-filing

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING**OFFENSE CHARGED**

VIOLATION: Title 18, United States Code, Section 641 - Theft of Government Property

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony**PENALTY:**

Maximum Penalties: 10 years imprisonment; \$250,000 fine; 3 years sup. release; \$100 special assessment

**PROCEEDING**Name of Complainant Agency, or Person (& Title, if any)  
United States Railroad Retirement Board (USRRB)☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a re prosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.Name and Office of Person  
Furnishing Information on  
THIS FORM**SCOTT N. SCHOOLS**☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

ALICIA FENRICK, AUSA

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

MARVIN NELSON,

DISTRICT COURT NUMBER

CR07-00364

DEFENDANT

**IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed**DATE OF ARREST** Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not Month/Day/Year

**DATE TRANSFERRED TO U.S. CUSTODY** Month/Day/Year☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**\* ☒ SUMMONS ☐ NO PROCESS\* ☐ WARRANT Bail Amount: \_\_\_\_\_

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

2537 Watson St., Castro Valley, CA 94546

\*If Defendant does not self surrender, please issue summons 10 days from 6/7/07

Comments: \_\_\_\_\_

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

# United States District Court

E-filing

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
CRIMINAL DIVISION  
VENUE: OAKLAND

UNITED STATES OF AMERICA,

v.

MARVIN NELSON,

CR07-00364

CW

FILED  
2007 JUN -7 PM12:35  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND, CALIFORNIA

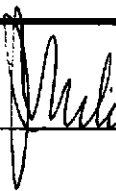
*a*

DEFENDANT.

## INDICTMENT

VIOLATION: Title 18, United States Code,  
Section 641 - Theft of Government Property

A true bill.



Foreman

Filed in open court this 7<sup>th</sup> day of  
June, 2007

Clerk

Bail, \$

Wayne D. Brazil Summons. 6-7-07

E-filing

FILED

2007 JUN -7 PM 12:35

RICHARD W. WILKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SCOTT N. SCHOOLS (SC 9990)  
United States Attorney

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARVIN NELSON,

Defendant.

No.

CR07-00364

VIOLATION: Title 18, United States Code,  
Section 641 - Theft of Government Property

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 641 – Theft of Government Property)

On or about and between approximately February 1989 and January 2007, in the Northern District of California and elsewhere, the defendant,

MARVIN NELSON,

did knowingly embezzle, steal, purloin, and convert to his use money and things of value

belonging to the United States and a department and agency thereof, namely, approximately

\$132,000 in United States Railroad Retirement Board benefits payable to Betty B. Nelson, and

did receive, conceal, and retain such money and things of value with the intent to convert it to his

INDICTMENT

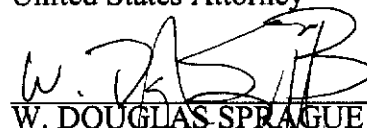
gain, knowing it to have been embezzled, stolen, purloined, and converted, all in violation of  
Title 18, United States Code, Section 641.

DATED: June 1<sup>st</sup>, 2007

A TRUE BILL.

  
FOREPERSON

SCOTT N. SCHOOLS  
United States Attorney

  
W. DOUGLAS SPRAGUE  
Chief, Oakland Branch

(Approved as to form: )  
ALICIA FENRICK  
Assistant United States Attorney

INDICTMENT